

EPA-5958

Gina McCarthy/DC/USEPA/US  
03/05/2010 08:20 AM

To "Doniger, David"  
cc  
bcc  
Subject Re: Why not a stronger response?

Sorry David. We will clear this up. No one is supporting this bill.

----- Original Message -----

From: "Doniger, David" [ddoniger@nrdc.org]  
Sent: 03/04/2010 10:37 PM EST  
To: Gina McCarthy  
Subject: Why not a stronger response?

Pretty cautious... Could be interpreted as openness to a 2 (really 4) year delay.

EPA issues cautious response to Rockefeller plan that blocks rules

By Ben Geman - 03/04/10 04:23 PM ET

EPA on Thursday declined to criticize Sen. Jay Rockefeller's (D-W.Va.) new bill that would block regulation of greenhouse gas emissions from stationary industrial facilities like power plants and factories for two years.

His plan is less sweeping than Sen. Lisa Murkowski's (R-Alaska) proposal that would completely nullify EPA's power to impose limits on heat-trapping emissions.

Here's the prepared statement from EPA Press Secretary Adora Andy:

"EPA is still reviewing the bill that Senator Rockefeller introduced today. It is important to note that Senator Rockefeller's bill, unlike Senator Murkowski's resolution, does not attempt to overturn or deny the scientific fact that unchecked greenhouse gas pollution threatens the well-being of the American people - nor would it threaten the historic clean cars program announced by the Obama Administration last year."

The "clean cars" program is a reference to a joint Transportation Department-EPA initiative to issue

combined vehicle mileage and auto emissions standards (DOT handles the mileage part, EPA oversees the greenhouse gas side). The rules are expected to be finalized this month.

Rockefeller - a strong ally of coal producers - says his plan would give Congress the breathing room needed to craft broad climate and energy legislation that sets up a new system for controlling emissions.

Several House members, including Natural Resources Committee Chairman Nick Rahall (D-W.Va.), have floated a House companion bill to Rockefeller's measure.

Several environmental groups blasted Rockefeller's proposal Thursday.

"It is not constructive to block the only working law on the books to curb global warming pollution and replace it with nothing. Blocking the Clean Air Act will do nothing to bring Congress closer to passing comprehensive climate and energy legislation," said David Doniger, the policy director of the climate center at the Natural Resources Defense Council, in a statement.

But Scott Segal, an attorney with Bracewell & Giuliani who represents utilities and other industries, praised Rockefeller's plan. "As a political matter, the legislation presents an opportunity for appropriate bipartisan and bicameral reaction to EPA's potential GHG activities," he said in a statement.

"The bill demonstrates the widespread unease with EPA regulatory authority for GHGs. Indeed, without the right legislative response, EPA could end up regulating millions of commercial buildings, manufacturing operations, and farms," he added.

EPA has already slowed down its plans to regulate emissions from stationary sources. The agency told Rockefeller and several other coal-state lawmakers <  
<http://thehill.com/blogs/e2-wire/677-e2-wire/82831-epa-vows-go-slow-approach-on-climate-rules-to-deter-dem-c>  
hallenge> last month that greenhouse gas rules will not take effect in 2010 and will be phased-in after that.

Obama administration officials say they want Congress to pass climate legislation, but that EPA will move ahead under its existing authority if lawmakers do not act.

Source:

<http://thehill.com/blogs/e2-wire/677-e2-wire/85073-epa-issues-cautious-response-to-rockefeller-plan-that-blocks-rules>